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7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 ORLANDO LAMAR HAWKINS,
15 Defendant.

Case No. 2:01-cr-183-PMP-PAL

**UNOPPOSED MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE**

16 COMES NOW the defendant, ORLANDO LAMAR HAWKINS, by and through his
17 counsel of record, Nisha Brooks-Whittington, Assistant Federal Public Defender, and pursuant to
18 18 U.S.C. § 3583(e)(1) and Fed. R. Crim. P. 32.1, hereby moves this Honorable Court for early
19 termination of his five-year term of supervised release. This request is based on the Points and
20 Authorities attached hereto.
21

22 DATED this 28th day of March, 2012.

23
24 RENE L. VALLADARES
Federal Public Defender

25
26 By: /s/Nisha Brooks-Whittington
NISHA BROOKS-WHITTINGTON
27 Assistant Federal Public Defender
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 The statute governing early termination of supervised release, 18 U.S.C. § 3583(e)(1),
3 provides that the court may terminate a term of supervised release “and discharge the defendant
4 released at any time after the expiration of one year of supervised release, . . . if it is satisfied that
5 such action is warranted by the conduct of the defendant released and in the interest of justice.”

6 On August 31, 2001, Orlando Lamar Hawkins (“Mr. Hawkins”) pled guilty to Armed
7 Bank Robbery in violation of 18 U.S.C. § 2113 (a) & (d), and Aiding and Abetting in violation of
8 18 U.S.C. § 2. See Docket No. 63 (Judgment in a Criminal Case). Mr. Hawkins was sentenced to
9 ninety (90) months in the custody of the Bureau of Prisons (“BOP”) and to a sixty (60) month term
10 of supervised release. See Docket No. 63 (Judgment in a Criminal Case).

11 Mr. Hawkins began his supervised release term on November 17, 2007, in the
12 Northern District of Texas. A number of Mr. Hawkins’ family members reside in Texas. For three
13 and one half years, Mr. Hawkins abided by his conditions of supervised release without incident.
14 It was not until September 6, 2011, that a petition seeking to revoke his supervised release term was
15 filed with the court outlining his alleged violations. See Docket No. 64 (Petition). United States
16 Probation Officer, Joel Nelson, Assistant United States Attorney Kimberly Frayn (“the
17 government”), and the defense recommended to the Court that Mr. Hawkins be allowed to continue
18 on with his current term of supervised release and his conditions be modified to include residence
19 and participation in the program of a residential re-entry center for a period of six months. See
20 Ex. A (Sentencing Recommendation). The government further agreed that if Mr. Hawkins is in
21 compliance at the time of the status check hearing, which is currently scheduled for April 17, 2012,
22 that it will move to dismiss the petition.

23 Mr. Hawkins is in compliance with the rules and regulations at the Residential Re-
24 Entry Center. His six month term is scheduled to expire on approximately April 13, 2012. Mr.
25 Hawkins is diligently searching for employment, but has been unable to secure employment. As a
26 result, Mr. Hawkins is further unable to obtain a residence of his own. After April 13, 2012, Mr.
27 Hawkins will not have a place to reside and if continued on supervision will have to request
28 continued placement at the residential re-entry center. However, early termination from supervision

1 would allow Mr. Hawkins the ability to return to Texas to reside with his sister and pursue job
2 opportunities that are available to him. Mr. Hawkins previously worked for New Breed, Subway,
3 and Williams & Dickey when he lived in Texas. He contacted these various establishments and each
4 indicated that they would welcome Mr. Hawkins back as an employee.

5 Mr. Hawkins is a respectful person that strives to provide a better life for himself.
6 Since November 2011, Mr. Hawkins has complied with his substance abuse individual and group
7 counseling requirement. Mr. Hawkins completed his individual counseling, and is scheduled to
8 complete group counseling on April 12, 2012. Mr. Hawkins has benefitted from his counseling and
9 has not tested positive for any illegal substance since his placement in counseling. Mr. Hawkins is
10 no longer in need of any services offered by the United States Probation Office.

11 Mr. Hawkins also fulfilled his court ordered financial obligations by payment of his
12 \$100 penalty assessment fee and restitution See Ex. B. Mr. Hawkins' recent conduct while on
13 supervised release is strong evidence that he is ready for his supervision period to end. Mr. Hawkins
14 is an appropriate candidate for early termination of supervised release. Mr. Hawkins has been
15 accountable to his probation officer at all times.

16 Undersigned counsel contacted the Probation Officer and the Assistant United States
17 Attorney regarding Mr. Hawkins' request for early termination and they do not object to his request
18 for early termination.

19 CONCLUSION

20 In summary, Mr. Hawkins has made the most of his over four years of supervision.
21 Mr. Hawkins has learned from his past transgression and no longer desires the social settings that
22 led him before this Court. For all of these reasons, Mr. Hawkins respectfully requests that this Court
23 grant his early termination from supervised release.

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25 Respectfully submitted by,

26
27 By /s/ Nisha Brooks-Whittington
28 NISHA BROOKS-WHITTINGTON,
Assistant Federal Public Defender

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ORLANDO LAMAR HAWKINS,

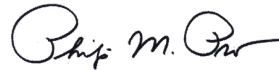
Defendant.

Case No. 2:01-cr-183-PMP-PAL

PROPOSED ORDER

Based on the above points and authorities and good cause appearing therefore, the
UNOPPOSED MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE is
hereby granted. **IT IS HEREBY ORDERED** that the term of supervised release be terminated.

DATED this _29th day of March, 2012.



UNITED STATES DISTRICT JUDGE